

REMARKS

Applicant is in receipt of the Office Action mailed September 3, 2008. Claims 31-35, 37-41, and 43-47 have been amended. Reconsideration of the case is earnestly requested in light of the following remarks.

Section 102 Rejection

Claims 31-35, 37-41, and 43-47 were rejected under 35 U.S.C. 102(e) as being anticipated by McKeeth, U.S. Patent No. 6,763,362. Applicant respectfully traverses this rejection.

Amended claim 31 recites in pertinent part:

receive a write request specifying particular data to write to the replica of the data object;

select one or more operations to perform on the replica of the data object in response to the write request, wherein the one or more operations are selected depending upon the history information, wherein the one or more operations are selected from a group of operations including:

writing the particular data specified by the write request to the replica of the data object; and

marking the replica of the data object as stale.

Applicant respectfully submits that McKeeth does not teach these limitations in combination with the other limitations recited in claim 31.

McKeeth relates generally to a method and a system for maintaining the freshness of a search engine server's database. A popularity value is assigned to each link in the search engine's database. The most popular links are selected for updating the contents stored, or associated with, the site to which the links refer. (See Abstract).

Claim 31 recites that the one or more operations to perform on the replica of the data object are selected depending upon the history information, and are selected **in response to the write request specifying the particular data to write to the replica of the data object**. The Examiner has apparently interpreted a link in McKeeth's link database and/or the associated web page data stored with the link to be the recited "replica of the data object". And the Examiner has apparently interpreted the popularity value for the link as the recited "history information". The popularity values of the links are used to determine which links in the link database to add to a queue of links. (See FIG. 3 and Col. 7, line 1 – Col. 9, line 57). However, the popularity value

(history information) is not used to select one or more operations to perform on a replica of a data object in response to a write request specifying particular data to write to the replica of the data object. Adding the link to the queue based on its popularity value does not involve receiving a write request specifying particular data to write to the link or to its associated data.

Furthermore, the popularity value (history information) of the link is not used to select one or more operations to perform, where the one or more operations are selected from a group of operations including writing the particular data specified by the write request to the replica of the data object, and marking the replica of the data object as stale. The popularity information is simply used to determine which links to add to the queue. All of the links added to the queue are then processed.

Applicant thus submits that claim 31 and its dependent claims are patentably distinct over the cited art for at least the reasons set forth above. Inasmuch as the other independent claims 37 and 43 recite similar limitations as those of claim 31, Applicant submits that these claims, and the claims dependent thereon, are also patentably distinct over the cited art.

Applicant also respectfully submits that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the independent claims have been shown to be patentably distinct, a further discussion of the dependent claims is not necessary at this time.

In light of the foregoing amendments and remarks, Applicants submit that all pending claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. If a phone interview would speed allowance of any pending claims, such is requested at the Examiner's convenience.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 50-1505/5760-18800.

Respectfully submitted,

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